

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450, on



July 29, 2003

Date of Deposit

Gregory H. Zayia - Reg. No. 48,059

Name of Applicant, Assignee or  
Registered Representative

*Gregory Zayia*  
Signature  
July 29, 2003  
Date of Signature

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TECH CENTER 1600/2900

Our Case No.: 3086/1285 (BH 2084)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James R. Mayne et al.

Examiner: To Be Assigned

Serial No.: 10/061,998

Group Art Unit No.: 1651

Filing Date: January 31, 2002

For: Topical Anti-Inflammatory  
Compositions and Methods of  
Reducing Inflammation

**FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this First Supplemental Information Disclosure Statement be entered and the documents B1-B10 listed on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R.

§ 1.98(a)(2) are enclosed for the convenience of the Examiner. A copy of the International Search Report is also enclosed.


In accordance with 37 C.F.R. § 1.97(g),(h), this First Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This First Supplemental Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this First Supplemental Information Disclosure Statement. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to this communication, the Commissioner is hereby authorized to deduct the fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

In accordance with 37 C.F.R. § 1.97(e)(1), Applicants hereby certify that each item of information disclosed in this First Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to filing of the present statement, as evidenced by the date of the enclosed International Search Report.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted.

  
\_\_\_\_\_  
Gregory M. Zayia  
Registration No. 48,059  
Agent for Applicants

BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, IL 60610  
(312) 321-4200



FORM PTO-1449	SERIAL NO. 10/061,998	CASE NO. 3086/1285 (BH 2084)
<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>	FILING DATE January 31, 2002	GROUP ART UNIT 1651
(use several sheets if necessary)		APPLICANT(S): James R. Mayne et al.

**REFERENCE DESIGNATION U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
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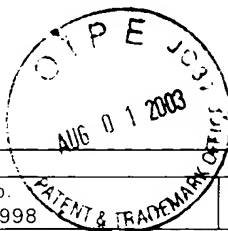
**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES	NO
	B1	2000-212060 ✓	08/02/2000	JP		X
	B2	2001-261570 ✓	09/26/2001	JP		X
	B3	WO 01/02028 A2 ✓	01/11/2001	PCT		X
	B4	EP 0 992 236 A1 ✓	04/12/2000	EPO		X

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	
	B5	English Abstract No. XP-002239068 of RU 2145839 to N. V. Nazarova et al. published February 27, 2000.
	B6	English Abstract No. XP-002239069 of JP 2000 212060 to Hiroshi Tanaka published August 2, 2000.
	B7	English Abstract No. XP-002239072 of RU 2089178 to S. N. Belov published September 10, 1997
	B8	English Abstract No. XP-002239070 of JP 2001 261570 to Kumi Kameyama et al. published September 26, 2001.
	B9	English Abstract No. XP-002239071 of JP 5194176 to Mieko Nishida et al. published August 3, 1993.
	B10	English Abstract of JP 63280006 to Yakult Honsha Co. Ltd. Published November 17, 1988.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



1651

TRANSMITTAL LETTER			Case No. 3086 1285 (SH 2084)
Serial No. 10 061,998	Filing Date January 31, 2002	Examiner To Be Assigned	Group Art Unit 1651
Inventor(s) James R. Mayne et al.			
Title of Invention Topical Anti-Inflammatory Compositions and Methods of Reducing Inflammation			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Transmittal Letter (in duplicate), First Supplemental Information Disclosure Statement (in duplicate), Form PTO-1449, Ten (10) Cited References (B1-B10), Copy of International Search Report, and Return Postcard.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a \_\_\_\_\_ month extension of time.
- ☐ No additional fee is required.
- ☐ The fee has been calculated as shown below:

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					Small Entity		or	Other Than Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee		Rate	Add'l Fee
Total		Minus			x \$9 =			x \$18 =	
Indep.		Minus			x 42 =			x \$84 =	
First Presentation of Multiple Dep. Claim					+ \$140 =			+ \$280 =	
					Total add'l fee	\$		Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.
- ☐ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☐ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

*Gregory Zayia*  
Gregory H. Zayia  
Registration No. 48,059  
Agent for Applicants  
Customer No. 28533 - Alticor

BRINKS HOFER GILSON & LIONE  
P O BOX 10395  
CHICAGO, ILLINOIS 60610  
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*Gregory Zayia*